

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chunhua YAN et al.

Serial No.: 10/801,671

Filed: March 17, 2004

For: ISOLATED HUMAN KINASE PROTEINS,  
NUCLEIC ACID MOLECULES ENCODING  
HUMAN KINASE PROTEINS, AND USES  
THEREOF

Art Unit: 1652

Examiner: M. Monshipouri

Atty. Docket: CL000758DIVIII

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MAR 07 2005

## PRELIMINARY AMENDMENT

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

*By Facsimile*

Sir:

This is in response to an Office Action mailed on September 7, 2004 from Examiner Monshipouri in which a restriction requirement was issued for the above-referenced application.

Applicants hereby elect claim group III (claims 4-6, 8-11, and 22-23, drawn to isolated nucleic acid molecules, vectors, host cells, etc.) for examination and have canceled claims corresponding to the non-elected groups I-II and IV-VIII.

Please amend the application as follows:

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MAR 07 2005

**FACSIMILE MESSAGE - PLEASE DELIVER PROMPTLY**

March 7, 2005

TO: Examiner Maryam Monshipouri  
Group 1652  
(571) 272-0932

FROM Justin D. Karjala  
Celera Genomics Corp.  
(240) 453-3812

FAX NO: 571-273-8300

# OF PAGES (incl. cover): 11

Re: U.S. Serial No. 10/801,671, filed March 17, 2004  
Entitled "ISOLATED HUMAN KINASE PROTEINS, NUCLEIC ACID  
MOLECULES ENCODING HUMAN KINASE PROTEINS, AND USES  
THEREOF"  
Atty. Docket No.: CL000758DIVIII

A Preliminary Amendment (Restriction Election) and a Fee Sheet (for additional claim fees) in the above-identified application follows.

**NOTE: This is a re-submission of Applicant's response filed October 7, 2004, but was apparently not received by the Examiner, as indicated in a telephone message from Examiner Monshipouri today (March 7, 2005). The original fax report (following this cover sheet) dated October 7, 2004 shows the successful transmission of all 10 pages of the response at 10:28 on October 7 to the USPTO.**

*The information contained within this facsimile message is intended only for the personal and confidential use of the designated recipient named above. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone and return the original message to us by mail. Thank you for your cooperation.*

*missing 2 pages?*

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\*\*\* TX STATUS REPORT \*\*\*

AS OF OCT 07 2004 10:30 PAGE.01

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
32	10/07	10:28	USPTO	EC--S	02'00"	010	064	OK

**FACSIMILE MESSAGE - PLEASE DELIVER PROMPTLY**

October 7, 2004

TO: Examiner Maryam Monshipouri  
Group 1652  
(571) 272-0932

FROM Justin D. Karjala  
Celera Genomics Corp.  
(240) 453-3812

FAX NO: (703) 872-9306

# OF PAGES (incl. cover): 10

Re: U.S. Serial No. 10/801,671, filed March 17, 2004  
Entitled "ISOLATED HUMAN KINASE PROTEINS, NUCLEIC ACID  
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Application No.: 10/801,671

Examiner: Maryam MONSHEROURI

Filed: March 17, 2004

Group Art Unit: 1652

Inventor: Chunhua YAN

Attorney Docket No.: CL00758DIV-II

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☐ No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	TOTAL CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	56	MINUS	23	= 33	x \$18	\$ 594.00
INDEP. CLAIMS	6	MINUS	6	= 0	x \$88	\$ 0.00
Fee for Multiple Dependent claims= \$300						\$300.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT—						\$ 894.00

- ☐ Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☒ Charge the amount of \$ 894.00 to Deposit Account No. 50-0970 to cover the additional claims fee. A duplicate copy of this sheet is enclosed.

- ☐ Any prior general authorization to charge an issue fee under 37 C.F.R. § 1.118 to Deposit Account No. 50-0970 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-0970. A duplicate copy of this paper is enclosed.
- ☐ Charge the amount of \$ \_ to Deposit Account No. 50-0970 to cover the Extension fee for response within \_\_\_\_\_ months. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \$ \_\_\_\_\_ to Deposit Account No. 50-0970 to cover the Information Disclosure Statement fee. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

CELERA GENOMICS

By: 

Justin D. Karjala  
Reg. No. 43,704

Date: October 7, 2004

Celera Genomics Corporation  
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Rockville, MD 20850  
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Fax: 240-453-3084